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United Nations Voluntary Fund for Victims of Torture

Report of the Secretary-General

Summary

The present report is submitted in accordance with General Assembly resolutions 36/151 and 66/150. It describes the recommendations for grants to beneficiary organizations that were adopted by the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture at its thirty-sixth session. The report also provides information on policy decisions adopted by the Board at its thirty-seventh session.

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I. Introduction

A. Submission of the report

1. The present report was prepared in accordance with the arrangements approved by the General Assembly in its resolution 36/151, by which it established the United Nations Voluntary Fund for Victims of Torture. It presents the recommendations adopted by the Board of Trustees of the Fund at its thirty-sixth session, held in Geneva from 15 to 19 October 2012, and the policy decisions adopted at its thirty-seventh session, held in Geneva from 4 to 8 March 2013. The United Nations High Commissioner for Human Rights approved the recommendations of the Board on behalf of the Secretary-General on 19 October 2012 and 19 March 2013, respectively. The present report complements the report on the activities of the Fund submitted to the Human Rights Council at its twenty-second session (A/HRC/22/19).

B. Mandate of the Fund

2. The Fund receives voluntary contributions from Governments, non-governmental organizations and individuals. In accordance with the practice established by its Board of Trustees in 1982, the Fund provides grants to established channels of assistance, including non-governmental organizations, associations of victims and family members of victims, private and public hospitals, legal clinics, public interest law firms and individual lawyers, that submit projects involving medical, psychological, social, financial, legal, humanitarian and other forms of assistance to victims of torture and members of their families.

C. Administration of the Fund and Board of Trustees

3. The Secretary-General administers the Fund through the Office of the United Nations High Commissioner for Human Rights (OHCHR) with the advice of a Board of Trustees composed of five members acting in their personal capacity and appointed by the Secretary-General with due regard to equitable geographical distribution and in consultation with their Governments. On 26 October 2011, the Secretary-General reappointed Mercedes Doretti (Argentina) for a final term of three years and appointed Natasa Kandic (Serbia), Maria Cristina de Mendonca (Portugal), Morad el Shazly (Egypt) and Anastasia Pinto (India) for three-year terms, renewable once. All members of the Board attended the thirty-sixth and thirty-seventh sessions. Following the thirty-seventh session, Ms. Kandic informed the Secretariat of her decision to resign from the Board. At the time of writing of the present report, arrangements to replace her are under way.

4. Pursuant to recommendations formulated by the Office of Internal Oversight Services in its audit report on the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery of 2007, as of 1 January 2012 the secretariats of the Fund for Victims of Torture and the Trust Fund on Contemporary Forms of Slavery were placed within the Human Rights Treaties Division of OHCHR. In the current reporting period, the joint secretariat has reviewed and aligned the working methods of both Funds with a view to increasing cost-effectiveness, pooling expertise and

sharing best practices. The webpage of the Fund for Victims of Torture has also been improved.

5. In addition, at the beginning of January 2013 two fellows joined the Fund for Victims of Torture to assist the secretariat with substantive research and analysis of developments and jurisprudence concerning torture and with preparing a compilation of best practices and lessons learned on projects financed by the Fund.

6. Lastly, in the context of the joint secretariat and subject to availability of funding, it is expected that the Fund for Victims of Torture and the Trust Fund on Contemporary Forms of Slavery will endeavour to avail themselves of one fellowship each in 2014.

II. Management of grants

A. Admissibility criteria

7. Project admissibility criteria are outlined in the guidelines of the Fund for Victims of Torture, which were revised at the thirty-sixth session of the Board of Trustees. The guidelines require a project to be presented by a non-governmental entity, including non-governmental organizations, associations of victims and family members of victims, private and public hospitals, legal clinics, public interest law firms and individual lawyers. The beneficiaries must be direct victims of torture or direct family members. Priority is given to projects providing direct assistance to victims of torture, which may consist of medical or psychological assistance, help with social or financial reintegration through vocational training for victims or various forms of legal assistance for victims or members of their families, including assistance in seeking redress or applying for asylum. Depending on the resources available, the Fund may finance projects to organize training programmes, seminars or conferences to allow health-care professionals or other service providers to exchange best practices. Requests for grants for projects involving investigation, research, studies, publications or similar activities are not admissible.

8. The Fund may provide emergency assistance to individuals in countries where no project is receiving support. This type of request is examined according to specific procedures outlined in the guidelines of the Fund. Detailed information on the various types of assistance provided through the projects financed by the Fund, as well as their impact on beneficiaries, can be found in the report of the Secretary-General to the General Assembly at its fifty-eighth session (A/58/284, paras. 27-34).

B. Monitoring and evaluation of grants

9. From August 2012 to July 2013, evaluation and monitoring of organizations already funded by the Fund or of applicants were undertaken by staff of the Fund secretariat, Board members and OHCHR field presences in Bosnia and Herzegovina, Burundi, Cambodia, the Democratic Republic of the Congo, France, Germany, Guatemala, Hungary, Italy, Lebanon, Liberia, Malaysia, Mexico, New Zealand, the Philippines, the Russian Federation, South Africa, the State of Palestine, Switzerland, Tunisia and the United Kingdom of Great Britain and Northern Ireland.

III. Financial situation of the Fund

10. From 2008 to 2011, the annual voluntary contributions to the Fund decreased dramatically by 30 per cent ($3.6 million), amounting to $7.9 million in 2011. This situation, largely attributed to the ongoing financial crisis, made it difficult to meet the ever-increasing demands for assistance.

11. Because of this significant decrease, at its thirty-sixth session the Board was compelled to maintain the strategic cuts to grants introduced in 2012 in addition to those already introduced for the 2011 cycle, which had decreased by 40 per cent grants awarded to projects located in States of the group of Western European and other States and by 30 per cent grants awarded to projects located in other regions (see also para. 16 below).

12. The Board will hold its thirty-eighth session from 30 September to 4 October 2013, during which it will allocate grants for the period January to December 2014. Regrettably, while the trend has been reversed and in 2012 contributions amounting to $8.4 million were received, it is anticipated that funding will not rise back to a satisfactory level; hence, the cuts applied to grants over the past two years are likely to continue in 2014.

13. The Secretary-General in his statement issued to commemorate the United Nations International Day in Support of Victims of Torture and the Human Rights Council in its resolution 22/21 have both appealed to States to contribute generously to the Fund.

Contributions and pledges received

14. The table below shows the contributions and pledges received since the previous report of the Secretary-General to the General Assembly on the activities of the Fund (A/67/264). These contributions will enable the Board to make recommendations at its thirty-eighth session for grants to be disbursed for the period from 1 January to 31 December 2014.

Contributions and pledges received from 13 July 2012 to 12 July 2013

Donor	*Amount (United States dollars)*	*Date of receipt*
Contributions		
States		
Argentina	15 000	14 February 2013
Austria	110 821	5 June 2013
Chile	10 000	7 February 2013
Czech Republic	10 220	17 December 2012
Denmark	345 312	28 November 2012
Finland	338 083	2 November 2012
Germany	717 080	12 July 2013
India	24 982	22 March 2013
Ireland	111 257	3 May 2013
Kuwait	10 000	25 February 2013

Donor	*Amount (United States dollars)*	*Date of receipt*
Liechtenstein	26 881	22 November 2012
Morocco	2 000	25 July 2012
Norway	113 976	27 June 2013
Peru	1 820	30 January 2013
Saudi Arabia	50 000	7 September 2012
South Africa	10 726	22 March 2013
Spain	59 681	2 January 2013
Switzerland	215 983	20 December 2012
Turkey	10 000	3 December 2012
United Arab Emirates	10 000	7 March 2013
United States of America	6 000 000	5 November 2012
Holy See	1 000	7 February 2013
Subtotal	**8 194 822**	
Private and public donors		
NJCM Nederlands Juristen Comite	5 980	31 December 2012
Individual, University of Dundee	7 969	10 May 2013
NJCM Nederlands Juristen Comite	19 526	10 April 2013
European Union Ambassadors	1 254	22 March 2013
Subtotal	**34 729**	
Total contributions	**8 229 551**	
Pledges 2013		
Finland	365 059	
Turkey	10 000	
Total pledges	**375 059**	

IV. Thirty-sixth session of the Board of Trustees

15. The thirty-sixth session of the Board was held from 15 to 19 October 2012. The Board reviewed applications for funding and made recommendations on grants to be allotted to beneficiary organizations for the period from 1 January to 31 December 2013. At that session, the Board examined information prepared by its secretariat concerning 266 admissible project proposals, amounting to $14,823,044, including new applications for 2013. It considered positively the renewal of 236 ongoing projects amounting to $6,786,500 and recommended the approval of 18 new projects amounting $337,100. All approved grants aim at assisting victims of torture and members of their families worldwide through organizations implementing projects providing psychological, medical, social, legal, economic and other forms of humanitarian assistance in over 70 countries. The Board also considered requests for three projects amounting to $17,500 for training and

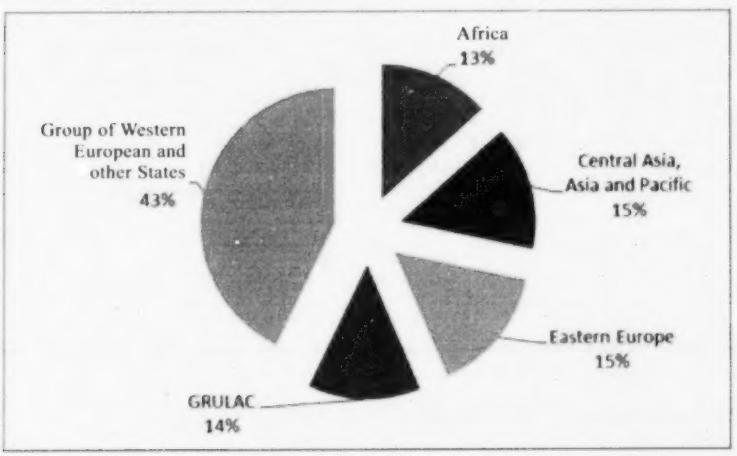
seminars for professionals assisting victims to exchange information on experiences and best practices. The High Commissioner approved the recommendations of the Board on 19 October 2012 on behalf of the Secretary-General.

16. As outlined in paragraph 11 above, as a result of the decreased level of contributions, at its thirty-sixth session the Board was compelled to maintain the strategic cuts introduced at its thirty-fifth session. For the second consecutive year, support to existing grant recipients was capped, as a rule, at $80,000 (instead of the usual $120,000) and, in the case of first-time recipients, at $20,000 (instead of the usual $50,000). Funding for training and seminars for professionals assisting victims was capped at $7,500 (instead of the usual $30,000).

17. Despite the persisting budget shortfall, the Board recommended to set aside $300,000 in order to respond to urgent requests and unforeseen needs during 2013. At the time of writing of the present report, five emergency grants had been approved for the reporting period 2012/13 for a total amount of $229,594 in Guatemala, Jordan (for torture victims fleeing from the Syrian Arab Republic), Lebanon, Mexico and Uruguay.

18. The figure below shows the allocation of grants by region.

Figure
Grants awarded in 2012, by region



19. The Board also reiterated its recommendation made at the thirty-fifth session to provide two fellowships for the Fund for 2013.

20. The Board also undertook a complete revision of the guidelines of the Fund with a view to fostering greater rigour and accountability from applicants and grant recipients. The revised guidelines bring further clarity to the procedure for awarding emergency grants.

21. Finally, the Board welcomed the initiative by the secretariat to conduct a three-day internal training course in September 2012 on project monitoring and evaluation.

V. Thirty-seventh session of the Board of Trustees

22. The thirty-seventh session of the Board was held from 4 to 8 March 2013. At that session, the Board expressed its concern about the increasing fragmentation of the grants awarded to ongoing projects due to the decrease in contributions to the Fund. In that context, the Board set out to develop a new funding formula, which would realign the Fund with its original mandate to assist victims in a purely humanitarian spirit and prioritize those victimized during emerging human rights situations, while continuing to ensure long-term assistance to previously identified victims.

23. Furthermore, the Board held a meeting with the Secretary of the Committee against Torture to take stock of the recently adopted General Comment No. 3 on the implementation by States parties of article 14 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, concerning the obligation of States to give redress and provide rehabilitation to victims of torture. The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan Mendez, also met with the Board and offered valuable insight into his work in the field and his new thematic report and expressed his support for the Fund. The Board of Trustees and the Special Rapporteur agreed to meet annually and the secretariat introduced the necessary arrangements into the calendar of sessions for that to happen.

24. The Board agreed on a new funding formula that will be tested progressively by the secretariat of the Fund over the next two years, which should include increased support for new projects, training and capacity-building projects; and a better and proactive response of the Fund to emerging situations while maintaining long-term and predictable support to identified victims of torture and their relatives worldwide. The funding formula will have optimal impact if the Fund succeeds in securing sustained availability of $12,000,000 for grants.

VI. United Nations International Day in Support of Victims of Torture

25. On 26 June 2013, the Secretary-General made a statement to commemorate the United Nations International Day in Support of Victims of Torture in which he called on Member States to step up efforts to assist all those who had suffered from torture and other cruel, inhuman or degrading treatment or punishment. He noted that 2013 was also the twenty-fifth anniversary of the establishment of the Committee against Torture, which, along with other United Nations human rights mechanisms such as the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the Special Rapporteur on torture, was vital to strengthening a victim-oriented approach that also included a gender perspective. That effort had been further strengthened by the adoption in 2013 of a Human Rights Council resolution focusing on the rehabilitation of torture victims. The Secretary-General urged all Member States to accede to and fully implement the Convention against Torture, to support the United Nations Voluntary Fund for Victims of Torture and to work together to end torture throughout the world and ensure that countries provided reparation for victims.

26. The International Day was commemorated through the online publication of a story about a Syrian female victim of torture who had sought refuge in Jordan where she received assistance from a non-profit organization supported by the Fund (see also para. 17 above and 31 below). In addition, the Committee against Torture, the Subcommittee on Prevention of Torture, the Special Rapporteur on torture, the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence and the Board of Trustees of the Fund for Victims of Torture issued a joint statement calling upon all Member States to step up efforts to support victims of torture, which was the focus of the mandate and activities of the Fund.

27. As part of the joint statement, Claudio Grossman, Chair of the Committee against Torture, which in November 2012 had issued a landmark definition of the right to reparation for victims in its General Comment no. 3, commented that torture unfortunately continued to be practised in many countries, made possible by the dehumanization of the victim, torturer and society at large. He noted that victims had the enforceable right to reparation that included fair and adequate compensation and access to as full a rehabilitation as possible, and that States also needed to ensure that victims were not exposed to further risk of ill-treatment and that violations were investigated and punished. That stance of the Committee had been reinforced in March 2013 by Human Rights Council resolution 22/21, in which the Council had called upon States to not only provide redress for victims of torture but to ensure that victims were fully involved in the process to help them rebuild their lives and reintegrate into society.

28. The Special Rapporteur on torture, Juan E. Méndez, said that a victim-centred approach required individual assessment of the needs of the victim and treatment that went beyond the short term A holistic approach was crucial to ensure that professionals worked with, rather than on, a person who had been tortured. Another key duty of States, the experts stressed in the statement, was to tackle impunity and strengthen judicial proceedings to prevent torture from continuing.

29. The Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Pablo de Greiff, said that effective redress was not possible without States addressing impunity. In addition to receiving reparation, it was crucial for victims to be involved in truth-seeking exercises and in judicial processes to ensure effective and impartial investigations, prosecutions and judgements that reflected the gravity of the offence. It was also central for societies to put institutions and mechanisms in place to prevent future violations, he said.

30. According to Malcolm Evans, the Chair of the Subcommittee on the Prevention of Torture, which conducts field visits to places of detention, rehabilitation of victims was key not only for the individuals affected but for society as a whole. He commented that wherever and whenever torture and ill-treatment occurred, a meaningful prevention implied prevention for the victims and their relatives. The Subcommittee had learned from direct experience the central role that rehabilitation occupied in the cycle of prevention.

31. The experts also said that the focus on a victim-oriented approach highlighted the need for properly resourced rehabilitation centres. Every year, the Fund for Victims of Torture supported hundreds of such centres to give humanitarian, medical and legal assistance to victims and their relatives, providing assistance annually to an estimated 50,000 to 70,000 victims and their relatives, including Syrian refugee Sabeen, who had been kidnapped, repeatedly raped, and had seen family members

killed in front of her. Sabeen, who was 24 years old, fled to Jordan where her mother took her to a centre that had received a grant from the Fund to provide therapy and support for torture victims. The Fund, which relied on voluntary contributions from Governments, the private sector and individuals, had seen its donations drop by 30 per cent since 2008 to $8.4 million in 2012. Its donor base had also shrunk from 38 donors in 2008 to 22 in 2012.

32. Mercedes Doretti, a forensic anthropologist and Chair of the Board of Trustees of the Fund, noted that too many Governments were cutting back on contributions to the Fund in the light of economic problems. She noted that ensuring prompt and proper treatment for victims of torture could reduce the financial cost to the State. Ms. Doretti concluded that the experts strongly hoped that the renewed focus on redress and rehabilitation for victims would translate into more resources being made available to respond to thousands of torture victims.

VII. How to make a contribution to the Fund

33. Governments, non-governmental organizations and other private or public entities can contribute to the Fund. For more information on how to contribute and further details about the Fund, donors are requested to contact the secretariat of the United Nations Voluntary Fund for Victims of Torture, Office of the United Nations High Commissioner for Human Rights, United Nations, CH 1211 Geneva 10, Switzerland; e-mail: unvfvt@ohchr.org; telephone: 41 22 917 9624; fax: 41 22 917 9017.

VIII. Conclusions and recommendations

34. **Pursuant to the appeals made by the General Assembly in its resolution 66/150 and by the Board of Trustees of the Fund as included in the previous report of the Secretary-General (A/67/264), donors are invited to pay their contributions to the Fund before 31 December 2013 in order that the contributions may be used in 2014.**

35. **In the light of the difficult financial situation faced since 2011, the Board also reiterates its call to regular donors to increase, as much as possible, their contributions to the Fund in order to provide the Board with the necessary resources to meet the growing needs of victims of torture and members of their families worldwide. Without an increased level of funding, the Fund will not be in a position to respond adequately to torture victims of any new crisis, while at the same time continuing to secure long-term assistance to previously identified victims.**

36. **The Board strongly encourages Governments that have not yet contributed to the Fund to do so for the first time, preferably by December 2013.**